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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

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UNITED STATES OF AMERICA,

Plaintiff,

v.

BRIAN MIRAMONTES,

Defendant.

Case No. CR 10-120-CAS
ORDER OF DETENTION
[Fed. R. Crim. P. 32.1(a)(6);
18 U.S.C. § 3143(a)(1)]

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I.

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On November 5, 2018, Defendant appeared before the Court for initial appearance on the petition for revocation or supervised and warrant for arrest that was issued in this matter. Oliver Cleary from the Indigent Defense Panel specially appeared for indigent defense panel member Anthony Solis, who was appointed to represent Defendant. Defendant submitted to detention.

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II.

1 Pursuant to Federal Rule of Criminal Procedure 32.1(a)(6) and 18 U.S.C. §
2 3143(a) following Defendant's arrest for alleged violation(s) of the terms of
3 Defendant's ☐ probation / ☒ supervised release,

4 The Court finds that :

5 A. ☒ Defendant has not carried his burden of establishing by clear
6 and convincing evidence that Defendant will appear for further proceedings as
7 required if released [18 U.S.C. § 3142(b-c)]. This finding is based on:

8 ☒ allegations in the petition: defendant sustained a conviction for felon
9 in possession of a firearm while he was on probation for his 2011
10 convictions for robbery in interstate commerce and use and carrying of a
11 firearm during a drug trafficking crime or crime of violence.

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13 B. ☒ Defendant has not carried his burden of establishing by clear
14 and convincing evidence that Defendant will not endanger the safety of any
15 other person or the community if released [18 U.S.C. § 3142(b-c)]. This
16 finding is based on:

17 ☒ allegations in the petition (see above)

18 ☒ criminal history
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20 III.

21 IT IS THEREFORE ORDERED that the defendant is remanded to the
22 custody of the U.S. Marshal pending further proceedings in this matter.

23 Dated: November 5, 2018
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25 /s/
26 ALKA SAGAR
27 UNITED STATES MAGISTRATE JUDGE
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